

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
NORTHERN DIVISION**

AMERIGAS PROPANE, L.P. and
FERRELLGAS L.P.,

Plaintiffs,

V.

BP AMERICA, INC., BP CORPORATION
NORTH AMERICA INC., BP INTERNATIONAL
SERVICES COMPANY, BP PRODUCTS
NORTH AMERICA INC., BP ENERGY,
and BP AMERICA PRODUCTION COMPANY,

Defendants.

Case No.: 1:08-cv-00981

The Honorable James B. Zagel

NOTICE OF MOTION

TO: Peter G. Skiko
Daniel G. Wills
Brendon P. Friesen
Swanson, Martin & Bell LLP
330 N. Wabash, Suite 3300
Chicago, IL 60611

Henry Chajet
John Austin
DeMaurice Smith
Patton Boggs LLP
2550 M. Street NW
Washington, DC 20037

PLEASE TAKE NOTICE that on Tuesday, June 17, 2008 at 10:15 a.m., or as soon thereafter as counsel may be heard, counsel for the BP Defendants shall appear before the Honorable James B. Zagel, or any Judge or Magistrate Judge sitting in his stead, in the courtroom normally occupied by him in the United States District Court for the Northern District of Illinois, Eastern Division, 219 South Dearborn Street, Room 2503, Chicago, Illinois, and shall then present the concurrently filed **THE BP DEFENDANTS'**

RULE 12(B)(6) MOTION TO DISMISS, which was filed with the Court and served on counsel of record on May 30, 2008.

Date: May 30, 2008

Respectfully submitted,

/s/ Kathryn F. Taylor

Richard C. Godfrey, P.C.

David J. Zott, P.C.

Andrew A. Kassof

Katheleen A. Ehrhart

Kathryn F. Taylor

KIRKLAND & ELLIS LLP

200 East Randolph Drive

Chicago, Illinois 60601-6636

Telephone: (312) 861-2000

Facsimile: (312) 861-2200

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing **NOTICE OF MOTION** was filed electronically pursuant to the CM/ECF procedures on May 30, 2008 and will, therefore, be served electronically upon the parties in the action, and served via U.S. mail, first class, postage prepaid, upon.:

Peter G. Skiko
Daniel G. Wills
Brendon P. Friesen
Swanson, Martin & Bell LLP
330 N. Wabash, Suite 3300
Chicago, IL 60611
Telephone: (312) 321-9100
Facsimile: (312) 576-0016

and that copies were served this same date by U.S. mail only upon the following:

Henry Chajet
John Austin
DeMaurice Smith
Patton Boggs LLP
2550 M. Street NW
Washington, DC 20037
Telephone: (202) 457-6000
Facsimile: (202) 457-6315

/s/ Kathryn F. Taylor